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Cases of sexual violence against women in the east of the Democratic Republic of Congo

Motion for a recommendation

tabled by Ms Miet SMET and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Cases of sexual violence, used as a weapon of war and perpetrated by armed groups, the army, the police and civilians in the east of the Democratic Republic of Congo (DRC), number 25 000 every year in North Kivu alone, according to estimates by the UN Mission in the DRC (MONUC) and Stephen Lewis, former United Nations special envoy for HIV/Aids. In September 2007 the United Nations Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, John Holmes, said there were 27 000 cases of sexual violence in South Kivu in 2006.

These acts of sexual violence are punishable and reprehensible in the light of the four Geneva Conventions which the DRC has signed since 1961, which condemn rape and other forms of sexual violence in both domestic and international conflicts as serious violations of humanitarian law. They are crimes against humanity within the meaning of Article 7.1 of the Rome Statute of the International Criminal Court. Yet the perpetrators of sexual violence in the DRC continue to go unpunished. For peace to be restored, it is imperative that this impunity should cease. As long as the perpetrators of sexual violence are not brought to justice, the atrocities will continue.

The atrocities seem to have undermined the entire social protection machinery. Women who have survived rape are often rejected by their families and the community. Some victims have had their genitals irreversibly mutilated and several have serious injuries. In addition, the number of cases of contamination with the Aids virus is growing considerably. The victims of sexual violence need medical and psycho-social care and financial support for themselves and their children.

Recalling its [Resolution 1212 \(2000\)](#) on rape in armed conflicts, the Assembly recommends that the Committee of Ministers of the Council of Europe and the governments of member states:

1. categorically condemn the numerous cases of sexual violence in conflict and post-conflict zones, including the east of the DRC;
2. ask the DRC and the various parties concerned to implement, without delay, the Goma Peace Agreements of 23 January 2008 and act on the Nairobi Communiqué of 9 November 2007;
3. take action within the Security Council:
 - to strengthen MONUC's mandate and resources in respect of the protection of civilians, ensuring greater European involvement;
 - vigorously to combat sexual violence in the conflict and post-conflict areas in which the UN peace-keeping missions are operating;



- to support the new UN resolution that will enshrine sexual violence as a security issue for the first time.
4. urge the Congolese Government:
- to put an end to the impunity enjoyed by the perpetrators of sexual violence and apply the provisions of the Congolese Criminal Code concerning sexual violence (Articles 167, 168, 170 and 171);
 - to provide the human and financial resources needed for the proper administration of justice;
 - to set up, with the help of the international community, shelters and support facilities for victims of rape and their children, including medical centres equipped to treat injuries caused by sexual violence (fistulae, etc.).
5. help to rebuild and strengthen the Congolese judicial system and reform the Congolese police and prison system so that justice may be done to the victims.

Signed (see overleaf)

*Signed*¹:

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1. EDG: European Democrat Group
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